

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER LINDNER,

Pro Se Plaintiff,

-against-

CSO NEWELL; CSO MUSCHITIELLO; JAMES HOWARD (ASST. US MARSHAL); USM BRIAN MURPHY; USM BETTY ANN PASCARELLA; WITNESS SECURITY S. JONES; D. DISRUD (CONGRESSIONAL AFFAIRS CHIEF); USM JOSEPH R. GUCCIONE; THE FIRM THAT SUBCONTRACTED THE CSOS TO THE USM AT SDNY (a.k.a. AKAL SECURITY, INC.),

Defendants.

PLEASE TAKE NOTICE that upon the accompanying memorandum of law, Defendants Akal Security, Inc., CSO Newell and CSO Muschitiello (together, the "CSO Defendants"), by and through their attorneys, will move this Court on a date to be determined by this Court, at the courthouse of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, before the Honorable Alison J. Nathan, to dismiss *Pro Se* Plaintiff Peter Lindner's complaint pursuant to Federal Rule of Civil Procedure (i) 12(b)(1) for lack of subject matter jurisdiction and (ii) 12(b)(6) for failure to state a claim upon which relief can be granted.

Dated: July 13, 2012

Respectfully Submitted,


Kurt Peterson, Esq.
LITTLER MENDELSON, P.C.
3344 Peachtree Road, N.E., Ste. 1500
Atlanta, GA 30326-4803
Tel: (404) 760-3910

Jennie Wolitz, Esq.
900 Third Avenue, 8th Floor
New York, NY 10022
Tel: (212) 583-9600
Attorneys for the CSO Defendants

Case No. 11-CV-8365 (AJN) (MHD)

NOTICE OF THE CSO DEFENDANTS'
MOTION TO DISMISS PLAINTIFF'S
COMPLAINT

Filed Via ECF